

Office of the  
CLARK COUNTY LAND USE HEARING EXAMINER

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Vancouver WA 98668-9810  
Phone (360) 397-2375

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**NOTICE TO PARTIES OF RECORD**

**Project Name:** GOODE CLUSTER SUBDIVISION  
**Case Number:** PST2009-00014, SEP2009-00050

The attached decision of the Land Use Hearing Examiner will become final and conclusive unless a written appeal is filed with the Board of Clark County Commissioners, 6<sup>th</sup> floor, Public Service Center, 1300 Franklin Street, Vancouver, Washington, no later than 5:00 p.m. on, **October 6, 2009** (14 calendar days after written notice of the decision is mailed).

The Hearing Examiner's procedural SEPA decision is final and not appealable to the Board of County Commissioners.

All other appeals must be written and contain the information required under CCC 40.510.030(H), and placed in the following preferred format:

1. Project Name
2. Case Number
3. Name and signature of each petitioner: The name and signature of each petitioner and a statement showing that each petitioner is entitled to file the appeal under Section 40.510.030(H)(1). If multiple parties file a single petition for review, the petition shall designate one (1) party as the contact representative for all contact with the responsible official.
4. Introduction:  
Provide a brief history of the case. This should include a chronology of dates of related applications, cases numbers, and a description of the proposal as it relates to the decision being appealed
5. Standard of Review:  
Describe what standard of review (i.e., board's discretion to reverse the examiner's decision) you believe applies to board's review of the alleged errors (e.g., substantial evidence for challenges to findings of fact; de novo review for code interpretation; or, clearly erroneous for issues involving application of code requirements to particular facts).
6. Alleged Errors/Response to Alleged Errors:  
Identify the specific aspect(s) of the decision being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied on to prove the error (i.e., reference the relevant exhibits and passages, court cases, etc.).

The appeal fee is **\$716**

The Board of Commissioners shall hear appeals of decisions based upon the written record before the examiners, the examiner's decision, and any written comments received in the office of the Board within the following submittal deadlines measured from the date of the filing of the appeal:

- Fourteen (14) calendar days for the appellant's initial comments;
- Twenty-eight (28) calendar days for all responding comments; and,
- Thirty-five (35) calendar days for appellant reply comments, which are limited to the issues raised in the respondent's comments.

Written comments shall be limited to arguments asserting error in or support of the examiner decision based upon the evidence presented to the examiner.

Unless otherwise determined by the Board for a specific appeal, the Board shall consider appeals once a month, on a reoccurring day of each month. The day of the month on which appeals are considered shall be consistent from month to month as determined by Board.

The Board may either decide the appeal at the designated meeting or continue the matter to a limited hearing for receipt of oral argument. If continued, the Board of Commissioners shall designate the parties or their representatives to present argument, and permissible length thereof, in a manner calculated to afford a fair hearing of the issues specified by the Board of Commissioners. At the conclusion of its public meeting or limited hearing for receipt of oral legal argument, the Board of Commissioners may affirm, reverse, modify or remand an appealed decision.

Mailed on: **September 22, 2009**

**Goode Cluster Subdivision**  
PST2009-00014, SEP2009-00050  
Planner: Terri Brooks

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**Goode Cluster Subdivision**

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BEFORE THE LAND USE HEARINGS EXAMINER  
OF CLARK COUNTY, WASHINGTON

Regarding an application Moss & Associates, Inc. for )	<b><u>FINAL ORDER</u></b>
post-decision approval to modify a previously approved )	<b>PST2009-00014</b>
10-lot cluster subdivision at 11113 34508 NW Pacific )	<b>SEP2009-00050</b>
Highway in unincorporated Clark County, Washington )	<b>(Goode Cluster Subdivision)</b>

**A. FINDINGS AND CONCLUSIONS**

1. On August 25, 2008 the County granted preliminary plat approval to subdivide roughly 51.34-acres into 10 lots for single family detached homes pursuant to the County's cluster subdivision ordinance. PLD2007-00008(Goode Cluster Subdivision). With this Post Decision Review application the applicant proposes to reconfigure some of the lots, add an 11<sup>th</sup> lot and increase the number of phases from 6 to 7.

2. Clark County Hearings Examiner Joe Turner (the "examiner") held a duly noticed public hearing on August 27, 2009 to receive and consider public testimony in this matter. County staff recommended the examiner approve the application subject to conditions. See the Staff Report and Recommendation to the Hearings Examiner dated August 12, 2009 (the "Staff Report"). The applicant accepted the findings and conditions in the Staff Report with certain exceptions. One person testified orally with concerns about increased surface runoff and flooding in the area. Disputed issues or concerns in the case include the following:

- a. Whether, and to what extent, the 50-foot setback requirements of CCC Table 40.210.020-5 apply to the proposed lots; and
- b. Whether the applicant is required to create two-acre lots if the applicant utilizes individual wells; and
- c. Whether recent flooding problems are relevant to the proposed post decision review.

3. Based on the findings provided or incorporated herein, the examiner approves the application subject to the conditions at the conclusion of this final order.

**B. HEARING AND RECORD**

1. Hearings Examiner Joe Turner (the "examiner") received testimony at the public hearing about this application on August 27, 2009. A record of the testimony and evidence in the record is included herein as Exhibit A (Parties of Record), Exhibit B (Taped Proceedings), and Exhibit C (Written Testimony). These exhibits are filed at the Clark County Department of Community Development. The record closed at the end of the hearing.

2. At the hearing County planner Terri Brooks summarized the Staff Report, the history of the development and the current application for post decision review approval.

a. She noted that the applicant proposed to reconfigure Lots 4 through 7 of the previously approved preliminary plat, to add an additional lot (for a total of 11 lots) and to increase the number of development phases from 6 to 7. The proposed Phase 7 consists of the proposed new Lot 11.

b. She noted that the SEPA appeal period for this post-decision application will expire on September 10, 2009. She requested the hearings officer hold the record open to accommodate that appeal period.

c. She noted that Condition D-7 of the prior preliminary plat approval required that the applicant utilize public water or shared wells on all lots smaller than two-acres. Condition of approval D-6 in the Staff Report merely restates the prior condition.

d. She argued that the applicant's interpretation of CCC Table 40.210.020-5 is nonsensical. Under the applicant's interpretation the 50-foot setback would never apply.

3. David Spencer testified on behalf of the applicant, Moss and Associates, Inc. and summarized his written testimony, Exhibit 23.

a. He argued that the 50-foot front and rear setback requirement of CCC Table 40.210.020-5 is inapplicable in this case. All of the proposed lots "abut" another cluster lot. Therefore Table 40.210.020-5 requires 20-foot front, side and rear setbacks for these lots. The phrase "all other situations" in the last line of Table 40.210.020-5 is not defined, but it does not include lots that abut a cluster lot. This is consistent with the County's recent decision in another case, PLD2008-00071(Howard Schmid Cluster Short Plat). Compliance with the 50-foot setback in this case would force development on Lot 5 down the slope. A 20-foot setback on this lot would allow the applicant to construct the house on the flatter portion of the lot.

b. He requested the examiner delete condition of approval D-6, which requires that the applicant modify the plat to create two-acre lots if water service is provided from individual wells. The applicant intends to provide water to the proposed lots using either public water or shared wells. However if the applicant is unable to implement these options, the applicant must use individual wells. Increasing the lots to two-acres would require the elimination of one or more of the proposed lots, defeating the purpose of this Post Decision Review application.

c. He noted that the owners of the abutting properties south of the site experienced unusual flooding problems during the past winters rain storms.

i. Grading on the site caused some of the problems. The applicant's contractor graded the gravel access road to sheet flow to the south, away from the filter strip and ditch on the north side of the road. The improper grading directed additional stormwater onto the neighbors' properties. The applicant corrected the situation once they learned of the problem.

ii. However the area also experienced unusual weather events that contributed the runoff volume observed in the area. Snow and ice accumulated on the ground near the end of 2008, then a two-year rainstorm melted the snow, generating an unusual volume of runoff flowing through the site and the adjacent properties. The volume of runoff was equal to a 100-year storm event, causing flooding problems throughout the County, especially in the northern areas of the County where the site is located. The area experienced additional unusual rainfall events in May 2009.

iii. Grading of Larsen Road did not alter the existing drainage in the area. He submitted photos of the road prior to construction, with a ditch on the east side of the road. The ditch intercepted stormwater runoff before it entered the site. The ditch is still in place today. Construction on the site did not alter the existing drainage conditions on Larson Road.

iv. The applicant and the owners of the neighboring properties replaced a culvert downstream from the site with a larger culvert. The applicant's engineering analysis demonstrates that the prior culvert was adequate to accommodate runoff from a 100-year storm. The new, larger, culvert has more than enough capacity to accommodate stormwater runoff from the site.

d. He proposed changes to the wording of the condition proposed by Mr. Boheman. He requested the examiner hold the record open for one week to allow the applicant and staff to work out final wording for the condition.

4. Michael Carpenter, the owner of a downstream property, testified about flooding problems on his property. Stormwater runoff flooded his septic sand filter system last winter. That had never happened before, even during the floods in 1996. He observed more runoff flowing over his property than ever before. He is working with the applicant to resolve the problems.

5. County engineer Doug Boheman summarized his memorandum, Exhibit 24. He noted that the applicant proposed to use "dispersion techniques" such as splash blocks for disposal of stormwater from the homes and other structures on the site. The 2005 Western Washington Hydrology Manual requires specific vegetation and/or soil conditions for the use of dispersion techniques. He requested the examiner add a condition of approval to that effect.

6. At the end of the hearing the examiner held the record open subject to the following schedule:

a. Until September 3, 2009 for the applicant and County staff to reach an agreement on the language of the new condition regarding the use of dispersion techniques;

b. Until September 9, 2009 for the public to respond to the proposed condition language and for the SEPA appeal period to expire.

7. The County's SEPA determination was not appealed. Therefore the record in this case closed at 5:00 p.m. September 9, 2009.

### **C. FINDINGS**

Only issues and approval criteria raised in the course of the application, during the hearing or before the close of the record are discussed in this section. All approval criteria not raised by staff, the applicant or a party to the proceeding have been waived as contested issues, and no argument with regard to these issues can be raised in any subsequent appeal. The Examiner finds those criteria to be met, even though they are not specifically addressed in these findings. The following issues relate to the mandatory applicable approval criteria for this proposal and were addressed by County staff in their reports, by agency comments, by the applicant and others. The Examiner adopts the following findings with regard to each:

#### **LAND USE:**

##### **Finding #1**

Adding the eleventh lot, adjusting the lot lines, moving lots 9 and 8 and making lot 8 smaller alters some of the required setbacks for the lots. Lot 5 now requires a 50-foot front yard setback as well as the rear yard setback. Lots 3, 8 and new lot 11 also require a 50-foot rear yard setback. The other lots that need revised setbacks are covered in condition D-3 of the previous Hearing Examiner's decision. The building envelopes will need to be revised prior to recording of the plat. (See Condition #D-1)

The applicant argued that the 50-foot setback requirement of CCC Table 40.210.020-5 is inapplicable, because these lots "abut" other cluster lots. The examiner finds that the setback requirements must be determined based on the zoning of the property abutting the lot line in question; i.e., the a front lot line abutting a cluster lot requires a 20-foot setback but a front lot line abutting a remainder lot requires a 50-foot setback. The fact that the lot abuts a cluster lot on the side and/or rear boundaries is irrelevant to determining the front setback requirement. The applicant's interpretation leads to a nonsensical result. The "all other situations" standard of CCC Table 40.210.020-5 would almost never apply, as most lots in a cluster subdivision abut a cluster lot on at least one boundary.



The portion of the Schmid decision submitted by the applicant is not sufficient to support the applicant's argument. The applicant did not include a copy of the preliminary plat. Therefore the examiner cannot determine how the County determined that a 20-foot setback applies. However the County's determination appears to be inconsistent with the requirements of CCC Table 40.210.020-5.

The fact that compliance with the 50-foot setback will direct development on Lot 5 down the slope is irrelevant. The applicant can seek approval of a variance to this requirement if necessary to accommodate development on this lot.

#### Finding #2

The new plat shows lot 9 where lot 10's building envelope used to be but does not show a new building envelope for lot 10. Lot 10 needs a building envelope either where lot 9 used to be or between lots 9 and 11 because that is the only area on the remainder parcel was reviewed for archeological resources (Exhibit 12). If the building envelope includes the area where lot 9 used to be, 50-foot front and rear setbacks are required. This will need to be shown on the final plat map. (See Conditions #D-2 and D-3)

#### Finding #3

Because lot 9 moved, condition D-10 of the previous Hearing Examiner's decision needs to be modified. It will now need to state: "The applicant shall either obtain a shoreline conditional use permit for phase 1 (lot 10) or adjust the area under shoreline jurisdiction outside the plat." (See Condition #D-4)

#### Finding #4

The proposed plat changes also somewhat alters the previous condition D-7 in that the exhibit number is incorrect. Removing that condition and adding one that addresses the new plat map will remedy this. (See Condition #D-5)

#### Finding #5

In order to record the plat with one-acre lots as shown, either small public water supplies or public water must be used unless a Method II application is approved by the Health Department. If a Method II analysis is not approved and individual wells are used because of low water quantities in the wells, the lots are required by the Health Department to be two acres in size. If this occurs the applicant will need to combine the one-acre lots to meet the two-acre lot size since two acre lots have not been reviewed or noticed. (See Condition #D-6)

#### Finding #6

The notice of application sent for this proposal on July 1, 2009 did not include a SEPA determination. Staff discovered this two days prior to issuing the staff report. Because of this, the comment period for the SEPA expired August 26, 2009 and the SEPA appeal period expired until September 9, 2009. Therefore the examiner held the record open until September 9, 2009 to allow for expiration of the SEPA appeal period. No appeals

were filed prior to the September 9, 2009 deadline. Therefore the County's SEPA determination is final.

**Conclusion (Land Use):**

The examiner concludes that the proposed preliminary plan, subject to conditions identified above, meets the land use requirements of the Clark County Code.

**ARCHAEOLOGY:**

**Finding #1**

Much of the site is mapped on county archaeological predictive maps as having a moderate to high potential for containing artifacts. The site is also within 1/4 mile of a known archeological site. Thus, the applicant was required to perform an additional archaeological predetermination for the location of the new lot.

**Finding #2**

An archaeological predetermination on the site was conducted and the results of the investigation were sent to the Department of Archaeology & Historic Preservation (DAHP). DAHP concurred with the recommendation that no further work be conducted unless the plans change and development is planned outside the area reviewed (Exhibit 12).

**Conclusion (Archaeology):**

The examiner finds that the proposed preliminary plan, subject to conditions identified above, meets the archaeology requirements of the Clark County Code.

**WETLAND:**

**Finding 1**

Under the preliminary review, the applicant had proposed a 10-lot subdivision. 10 residential lots on this 51.34-acre site met the criteria for Low Intensity land use (density at or lower than 1 unit per 5 acres; see Table 40.450.030-5).

Adding an eleventh lot on this 51.34 acre site results in residential density "between 1 unit per acre and higher than 1 unit per 5 acres," which meets the criteria for Moderate Intensity land use (see Table 40.450.030-5).

**Finding 2**

The site contains Category IV wetlands in the vicinity of the development. The preliminary wetland permit reviewed wetland and buffer impacts based on Low Intensity (25-foot) buffers in the vicinity of the residential lots.

The applicant has submitted a Revised Wetland Buffer Plan dated August 3, 2009, prepared by Ecological Land Services, Inc. (see Exhibit 15). The revised plan shows the corrected Moderate Intensity Buffers in the vicinity of the residential lots.

**Finding 3**

The proposed development impacts approximately 7,909 square feet of wetland buffer that must be replaced on the site. The applicant had previously proposed to replace the buffer in an area adjacent to Lots 1 and 2. The increased Moderate Intensity buffer sizes change the layout so that the area adjacent to Lots 1 and 2 is not available for buffer replacement. The applicant now proposes to replace the 7,909 square feet of buffer in an area of the northeast corner of the property (see Exhibit 15).

The wetland buffer impacts are associated with construction of a new road. Crossing buffers with new roads is allowed provided buffer functions are replaced and impacts are minimized (see CCC 40.450.040(C)(5)). Staff finds that the proposed buffer replacement in the Revised Wetland Buffer Plan (Exhibit 15) meets these criteria. (See Conditions D-8 and D-9)

**Conclusion (Wetlands):**

The examiner finds that the proposed preliminary plan, subject to conditions identified above, meets the wetland requirements of the Clark County Code.

**ENGINEERING:**

The examiner finds that the creation of one additional lot and the reconfiguring of some lot lines will not change any of the stormwater, transportation, or geotechnical findings or conditions of the previous Hearing Examiner's decision.

There was testimony about flooding problems on the adjacent properties. Those problems were caused, at least in part, by grading errors on the site, which directed additional runoff onto neighboring properties. That is very unfortunate. But it is not relevant to the current application, because the proposed alterations to the preliminary plat will not result in any changes to the previously approved roads or stormwater facilities. The examiner encourages the applicant to continue working with the owners of the adjacent properties to resolve the flooding problems that were caused by the actions of the applicant's contractor.

The applicant has proposed in the approved final Technical Information Report (TIR) to use dispersion techniques such as downspout splash blocks in accordance with the 2005 Western Washington Hydrology Manual. The plat note should be worded such that it will alert the Building Official to the requirements of dispersion techniques stated in the 2005 Western Washington Hydrology Manual(See Condition #D-11)

**Conclusion (Engineering):**

The examiner finds that the proposed preliminary plan, subject to conditions identified above, meets the engineering requirements of the Clark County Code.

**FIRE PROTECTION:**

**Finding #1 – Fire Marshal Review**

The examiner finds that creation of one additional lot and the reconfiguring of some lot lines will not change any of the fire protection findings or conditions of the previous Hearing Examiner's decision.

**Conclusion (Fire Protection):**

The examiner finds that the proposed preliminary plan, subject to conditions identified above, meets the fire protection requirements of the Clark County Code.

**WATER & SEWER SERVICE:**

**Finding #1**

The use of small public water systems (SPWS), wells or Clark PUD water and septic systems are proposed to serve the site. A "Health Department Evaluation Letter" has been submitted granting conditional approval for the new lot and lot configuration. A small public water system well serves 2 to 14 residences. Due to the variable quantities of water found in wells in this vicinity, it is not possible to determine if one, two or three SPWS wells would be required or if the quantities might only satisfy individual well requirements. If some individual wells are required, the Health Department will need to review the plat again. Some of the issues that would need to be addressed in the case of individual wells are: location of the well on the lot served, minimum lot area of 2 acres unless a Method II application is approved, and the 100-foot protection radii around all the wells must within the exterior boundaries of the subdivision. (See Condition #D-6)

Condition D-6 merely restates the condition D-7 of the prior Hearings Officer decision. If the applicant utilizes individual wells, the applicant will need to reconfigure the site to create two-acre lots. The fact that compliance with this requirement may negate the purpose of this post-decision review application is irrelevant. It is clearly required by the Code.

**Finding #2**

An existing well and septic system on lot 2 was originally proposed to be abandoned. The septic system will still be abandoned however the well may be retained as a SPWS or an irrigation well. If the well is kept, new test holes for the septic system will be required outside the 100-foot zone of protection. (See Condition #D-7)

**Conclusion (Water & Sewer Service):**

The examiner finds that the proposed preliminary plan, subject to conditions identified above, meets the water and sewer service requirements of the Clark County Code.

**B. ORDER**

Based on the foregoing findings and except as conditioned below, the examiner hereby approves PST2009-000162 (Goode Cluster Subdivision) in general conformance with the revised preliminary plat (Exhibit 5) and the plans and reports associated with this proposal (Exhibits 6 and 15). This approval is granted subject to the requirements that the

applicant, owner or subsequent developer (the "applicant") shall comply with all applicable code provisions, laws and standards and the following conditions.

### **Conditions of Approval**

<b>A</b>	<b>Final Construction Plan Review for Land Division Review &amp; Approval Authority: Development Engineering</b>
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Prior to construction, a Final Construction shall be submitted for review and approval, consistent with the approved preliminary plan and the following conditions of approval:

**A-1**    None

<b>B</b>	<b>Prior to Construction of Development Review &amp; Approval Authority: Development Inspection</b>
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Prior to construction, the following conditions shall be met:

**B-1**    None

<b>C</b>	<b>Provisional Acceptance of Development Review &amp; Approval Authority: Development Inspection</b>
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Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction/land division plan and the following conditions of approval:

**C-1**    None

<b>D</b>	<b>Final Plat Review &amp; Recording Review &amp; Approval Authority: Development Engineering</b>
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Prior to final plat approval and recording, the following conditions shall be met:

- D-1**    Revise the building envelopes on lots 4 and 5 to include a 50-foot front yard setback and lots 3, 8 and 11 to show a 50-foot rear yard setback. (See Land Use Finding #1)
- D-2**    The building envelope for lot 10 must be located south of lot 9 or between lots 9 and 11 and no further north than those lots. (See Land Use Finding #2 and Archeology Finding #2)
- D-3**    50 foot front and rear setbacks are required if the area south of lot 9 includes the building envelope. (See Land Use Finding #2)

- D-4** Delete previous condition D-10 and replace with: The applicant shall either obtain a shoreline conditional use permit for phase 1 (lot 10) or adjust the area under shoreline jurisdiction outside the plat. (See Land Use finding #3)
- D-5** Delete previous condition D-7 and replace with: All lots must be served either by public water or small public water supplies except those lots shown on the preliminary plat map in Exhibit 5 as 2 acres or more. (See Land Use finding #4)
- D-6** If individual wells must be used and a Method II application is not approved for 1-acre lots, the lots shall be combined and not expanded to 2 acres each. (See Land Use Finding #5 and Water and Sewer Finding #1)
- D-7** If the well on lot 2 is kept, new test holes for the septic system are required outside the 100-foot zone of protection. (See Water and Sewer Finding #2)
- D-8** Revise previous condition D-11 in the Hearing Examiner's decision and replace with: The applicant shall implement the "Wetland Delineation Addendum For Wetland Delineations Completed in July 2005, March 2006, and October 2007," prepared by Ecological Land Services, dated May 1, 2008 (Exhibit 1), except as amended by PST2008-00028, the 8/3/09 Exhibit 15, and herein.
- D-9** Revise previous condition D-17-a in the Hearing Examiner's decision and replace with: a. The wetland and buffer boundaries, including areas designated for buffer replacement shall be delineated on the face of the Final Plat. D-17 b and c remain the same.
- D-10** Except as modified with this post decision review or PST2008-00028, all conditions of the original subdivision review shall be met.
- D-11** At the time of building permit, the building permit applicant must submit an onsite stormwater control plan for the proposed residence and driveway in accordance with the applicable chapters of the 2005 Western Washington Hydrology Manual. These on-site stormwater facilities will be privately owned and maintained.

<b>E</b>	<b>Building Permits</b> <b>Review &amp; Approval Authority: Customer Service</b>
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Prior to issuance of a building permit, the following conditions shall be met:

**E-1** None

<b>F</b>	<b>Occupancy Permits</b> <b>Review &amp; Approval Authority: Building</b>
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Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 None


<b>G</b>	<b>Development Review Timelines &amp; Advisory Information</b> Review & Approval Authority: None - Advisory to Applicant
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G-1 None

<b>H</b>	<b>Post Development Requirements</b> Review & Approval Authority: As specified below
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H-1 None

DATED this 22nd day of September 2009.

  
\_\_\_\_\_  
Joe Turner, AICP  
Clark County Hearings Examiner

# GOODE CLUSTER SUBDIVISION PROJECT PHASING PLAN



## PROJECT INFORMATION

**LOCATION:**  
NW 1/4 SEC 14, T4N R1E W4  
LA CENTER, WA 98029

**SE 1/4 OF SEC 14, T4N R1E W4**  
NW 1/4 OF SEC 14, T4N R1E W4  
PARCEL 1/4, 20435-000, 20435-000

**ADDRESS OF EXISTING RESIDENCE:**  
20435-000, 20435-000  
LA CENTER, WA 98029

**ZONING:**  
R-5

**AREA OF DEVELOPMENT SITE:**  
51.14 ACRES

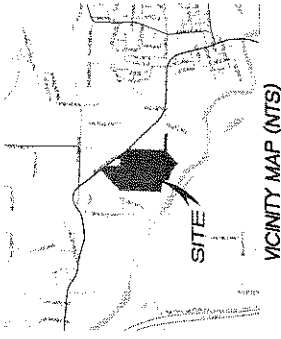
**PARCEL AREAS (BASED ON PER 100):**  
PARCEL 20435-000 4.89 ACRES W/L  
PARCEL 20435-000 4.89 ACRES W/L  
PARCEL 20435-000 20.4 ACRES

**PARCEL AREAS (AFTER BOUNDARY LINE ADJUSTMENTS):**  
PARCEL 20435-000 4.89 ACRES  
PARCEL 20435-000 4.89 ACRES  
PARCEL 20435-000 4.89 ACRES (NOT PART OF THIS DEVELOPMENT)

**ARTIFICIAL:**  
MOSS AND ASSOCIATES, INC. (ON BEHALF OF OWNER)  
717 NE 61ST STREET, SUITE 202  
VANCOUVER, WA 98665  
CONTACT: DANIEL SPRINGER  
dms@moosandassociates.com

**OWNER:**  
RANDY GOODE  
20435-000, 20435-000  
LA CENTER, WA 98029  
randygoode@gmail.com

**CONTACT:**  
SAME AS APPLICANT



SITE  
VICINITY MAP (NTS)

<b>MOSS &amp; ASSOCIATES</b> 117 NE 61ST STREET VANCOUVER, WA 98665 DATE: 29 May 2009		<b>POST DECISION REVIEW - PHASING PLAN</b> GOODE CLUSTER SUBDIVISION		DEVELOPER: RANDY GOODE 20435-000, 20435-000 LA CENTER, WA 98029 (360) 903-2529	
SHEET 2 / 2		1. WORLD LOT 11, ADJACENT W/L 2. WORLD LOT 11, ADJACENT W/L 3. WORLD LOT 11, ADJACENT W/L 4. WORLD LOT 11, ADJACENT W/L 5. WORLD LOT 11, ADJACENT W/L 6. WORLD LOT 11, ADJACENT W/L 7. WORLD LOT 11, ADJACENT W/L 8. WORLD LOT 11, ADJACENT W/L 9. WORLD LOT 11, ADJACENT W/L 10. WORLD LOT 11, ADJACENT W/L 11. WORLD LOT 11, ADJACENT W/L 12. WORLD LOT 11, ADJACENT W/L 13. WORLD LOT 11, ADJACENT W/L 14. WORLD LOT 11, ADJACENT W/L 15. WORLD LOT 11, ADJACENT W/L 16. WORLD LOT 11, ADJACENT W/L 17. WORLD LOT 11, ADJACENT W/L 18. WORLD LOT 11, ADJACENT W/L 19. WORLD LOT 11, ADJACENT W/L 20. WORLD LOT 11, ADJACENT W/L 21. WORLD LOT 11, ADJACENT W/L 22. WORLD LOT 11, ADJACENT W/L 23. WORLD LOT 11, ADJACENT W/L 24. WORLD LOT 11, ADJACENT W/L 25. WORLD LOT 11, ADJACENT W/L 26. WORLD LOT 11, ADJACENT W/L 27. WORLD LOT 11, ADJACENT W/L 28. WORLD LOT 11, ADJACENT W/L 29. WORLD LOT 11, ADJACENT W/L 30. WORLD LOT 11, ADJACENT W/L 31. WORLD LOT 11, ADJACENT W/L 32. WORLD LOT 11, ADJACENT W/L 33. WORLD LOT 11, ADJACENT W/L 34. WORLD LOT 11, ADJACENT W/L 35. WORLD LOT 11, ADJACENT W/L 36. WORLD LOT 11, ADJACENT W/L 37. WORLD LOT 11, ADJACENT W/L 38. WORLD LOT 11, ADJACENT W/L 39. WORLD LOT 11, ADJACENT W/L 40. WORLD LOT 11, ADJACENT W/L 41. WORLD LOT 11, ADJACENT W/L 42. WORLD LOT 11, ADJACENT W/L 43. WORLD LOT 11, ADJACENT W/L 44. WORLD LOT 11, ADJACENT W/L 45. WORLD LOT 11, ADJACENT W/L 46. WORLD LOT 11, ADJACENT W/L 47. WORLD LOT 11, ADJACENT W/L 48. WORLD LOT 11, ADJACENT W/L 49. WORLD LOT 11, ADJACENT W/L 50. WORLD LOT 11, ADJACENT W/L 51. WORLD LOT 11, ADJACENT W/L 52. WORLD LOT 11, ADJACENT W/L 53. WORLD LOT 11, ADJACENT W/L 54. WORLD LOT 11, ADJACENT W/L 55. WORLD LOT 11, ADJACENT W/L 56. WORLD LOT 11, ADJACENT W/L 57. WORLD LOT 11, ADJACENT W/L 58. WORLD LOT 11, ADJACENT W/L 59. WORLD LOT 11, ADJACENT W/L 60. WORLD LOT 11, ADJACENT W/L 61. WORLD LOT 11, ADJACENT W/L 62. WORLD LOT 11, ADJACENT W/L 63. WORLD LOT 11, ADJACENT W/L 64. WORLD LOT 11, ADJACENT W/L 65. WORLD LOT 11, ADJACENT W/L 66. WORLD LOT 11, ADJACENT W/L 67. WORLD LOT 11, ADJACENT W/L 68. WORLD LOT 11, ADJACENT W/L 69. WORLD LOT 11, ADJACENT W/L 70. WORLD LOT 11, ADJACENT W/L 71. WORLD LOT 11, ADJACENT W/L 72. WORLD LOT 11, ADJACENT W/L 73. WORLD LOT 11, ADJACENT W/L 74. WORLD LOT 11, ADJACENT W/L 75. WORLD LOT 11, ADJACENT W/L 76. WORLD LOT 11, ADJACENT W/L 77. WORLD LOT 11, ADJACENT W/L 78. WORLD LOT 11, ADJACENT W/L 79. WORLD LOT 11, ADJACENT W/L 80. WORLD LOT 11, ADJACENT W/L 81. WORLD LOT 11, ADJACENT W/L 82. WORLD LOT 11, ADJACENT W/L 83. WORLD LOT 11, ADJACENT W/L 84. WORLD LOT 11, ADJACENT W/L 85. WORLD LOT 11, ADJACENT W/L 86. WORLD LOT 11, ADJACENT W/L 87. WORLD LOT 11, ADJACENT W/L 88. WORLD LOT 11, ADJACENT W/L 89. WORLD LOT 11, ADJACENT W/L 90. WORLD LOT 11, ADJACENT W/L 91. WORLD LOT 11, ADJACENT W/L 92. WORLD LOT 11, ADJACENT W/L 93. WORLD LOT 11, ADJACENT W/L 94. WORLD LOT 11, ADJACENT W/L 95. WORLD LOT 11, ADJACENT W/L 96. WORLD LOT 11, ADJACENT W/L 97. WORLD LOT 11, ADJACENT W/L 98. WORLD LOT 11, ADJACENT W/L 99. WORLD LOT 11, ADJACENT W/L 100. WORLD LOT 11, ADJACENT W/L			



# HEARING EXAMINER EXHIBITS

**APPLICATION:** Goode Cluster Subdivision  
**CASE NUMBERS:** PST2009-00014  
**HEARING DATE:** August 27, 2009



EXHIBIT NO.	DATE	SUBMITTED BY	DESCRIPTION
1		CC Development Services	Aerial Map
2		CC Development Services	Vicinity Map
3		CC Development Services	Zoning Map
4		CC Development Services	Comprehensive Plan Map
5	6/3/09	Applicant: Moss & Associates	Full Size Preliminary Plat Map
6	6/3/09	Applicant: Moss & Associates	Application DVD: Application form; Original Development Decision, Narrative, Approved Plans, GIS Packet, Minor Traffic Profile, SEPA Checklist, Health Dept Review, Septic Review, Arch Pre-Det
7	6/17/09	CC Development Services	Development Review Fully Complete Determination
8	7/1/09	CC Development Services	Notice of Type III Development Review Application & Public Hearing
9	7/1/09	CC Development Services	Affidavit of Mailing Public Notice
10	6/23/09	CC Development Services	Email re: Engineering Fees
11	7/14/09	CC Development Services	Email re: Covenant Recording
12	6/29/09	DAHP	Archaeology Letter
13	7/22/09	Terri Brooks, Planner	Early Issues
14	7/24/09	Applicant: Moss & Associates	Affidavit of Posting Land Use Sign
15	8/3/09	Applicant: Ecological Land Services	Revised Wetland Buffer Plan
16	10/15/08	CC Development Services	Type 1 Development Review Staff Rpt
17	8/7/09	CC Development Services	Notice of Public Hearing to the Columbian – Published 8/12/09
18	8/12/09	CC Development Services	Affidavit of Posting Public Notice
19	8/12/09	CC Development Services – Terri Brooks, the Project Planner	Type III Development & Environmental Review, Staff Report & Recommendation

EXHIBIT NO.	DATE	SUBMITTED BY	DESCRIPTION
20	8/24/09	CC Development Engineering	Memo to the Hearing Examiner
21	8/26/09	Mike and Lisa Carpenter and James and Georgia Larson	Comment letters and pictures
22	8/17/09	CC Development Services	Power Point Pictures
23	8/22/09	Moss & Associates – David Spencer	Letter of Testimony
24	8/27/09	CC Dev Engineering – Doug Boheman	Memo to the Examiner
25	9/1/2009	CC Dev Engineering – Doug Boheman	E-mail to Examiner re: individual home stormwater
26	9/10/09	CC Development Services	E-mail to Examiner that no SEPA appeal was filed

Copies of these exhibits can be viewed at:

Department of Community Development / Planning Division  
1300 Franklin Street  
Vancouver, WA 98666-9810